

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

QUATRELA PATE, et al.,

Plaintiffs,

vs.

WAL-MART STORES, INC., et al.,

Defendants.

Case No. 2:12-cv-01377-GMN-PAL

**ORDER**

(Mtn to Withdraw - Dkt. #15)

This matter is before the court on the Motion to Withdraw as Counsel of Record (Dkt. #15) filed January 2, 2013. Ben J. Bingham seeks to withdraw as counsel of record for Plaintiffs Quatrella Pate and De’Jior Payne. De’Jior Payne is Ms. Pate’s minor son, and she is his guardian ad litem in this litigation. The Motion, which is supported by an affidavit of counsel, represents that Ms. Pate sent counsel a letter terminating his services on behalf of herself and her son. Counsel also contends that continuing to represent the Plaintiffs would result in an unreasonable financial burden to counsel and that a “cooperative impasse” has arisen between he and Ms. Pate, so that counsel can no longer “ethically represent Plaintiffs due to the differences of opinion in the instant matter.” Affidavit of Ben J. Bingham at ¶¶ 5- 7.

Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” Plaintiffs’ complaint was filed in state court and removed to this court on August 3, 2012. *See* Petition for Removal (Dkt. #1). Discovery closes on January 30, 2013. *See* Scheduling Order (Dkt. #9). Dispositive motions are due no later than March 1, 2013. *Id.*

Having reviewed and considered the matter, and for good cause shown,

**IT IS ORDERED:**

1. The Motion to Withdraw as Counsel of Record (Dkt. #15) is GRANTED.

  
PEGGY A. TEER  
UNITED STATES MAGISTRATE JUDGE